

BEST AVAILABLE COPY

VIA FACSIMILE

PTO/SB/96 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Nathaniel E. DavidApplication No./Patent No.: 10/718,499 Filed/Issue Date: November 19, 2003Entitled: BUSINESS METHODS FOR COMMERCIALIZING ANTIBIOTICSAchaogen, Inc.

(Name of Assignee)

a

corporation

(Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. An assignment from the Inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the
current assignee as shown below:

1. From: Nathaniel E. David To: VII NewCo 2003, Inc.The document was recorded in the United States Patent and Trademark Office at
Reel 015204, Frame 0302; or for which a copy thereof is attached.2. From: VII NewCo 2003, Inc. To: Achaogen, Inc.The document was recorded in the United States Patent and Trademark Office at
Reel 015060, Frame 0248, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title noted in B above are
attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment
Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See
MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

6-23-05

Date

Phillip A. Patten

Typed or printed name

Senior Vice President, Biology

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.